Manitoba

Annual Report
2000 - 2001

Intergovernmental Affairs

Surface Rights Board

Includes 10% post-consumer waste

101-07419/

MINISTER OF
INTERGOVERNMENTAL AFFAIRS

Room 301
Legislative Building
Winnipeg, Manitoba, CANADA
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General Office: (204) 945-3788
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His Honour
The Honourable Peter M. Liba, C.M.
Lieutenant Governor of Manitoba
235 Legislative Building
Winnipeg MB R3C OV8

Your Honour:

I have the privilege to present for your information the Annual Report of The Surface Rights Board of Manitoba for the fiscal year ended March 31, 2001.

Yours sincerely,

Jean Friesen

Jean Friesen
Minister

Manitoba

Intergovernmental Affairs

The Surface Rights Board

P.O. Box 22080
2022 Currie Boulevard
Brandon MB R7A 6Y9
(204) 726-7026

Honourable Jean Friesen
Minister Responsible for
The Surface Rights Act
301 Legislative Building
Winnipeg, Manitoba
R3C 0V8

Madam:

In accordance with Section 15 of *The Surface Rights Act*, I am pleased to submit the Annual Report of The Surface Rights Board for the fiscal year ending March 31, 2001.

Respectfully submitted,

T.A. (Art) Cowan
Presiding Member

TABLE OF CONTENTS

Title	Page
Surface Rights Board Members	1
Responsibility of Board Members	2
Purpose of *The Surface Rights Act*	3
Powers of The Board	4
Board Activity 2000/2001	5,6
Five Year Activity Summary	7
Board Orders Issued 2000/2001	8

THE SURFACE RIGHTS BOARD OF MANITOBA

MINISTER RESPONSIBLE FOR *THE SURFACE RIGHTS ACT*

HONOURABLE JEAN FRIESEN

THE BOARD

MR. THOMAS ARTHUR COWAN	PRESIDING MEMBER
MR. DENNIS COCHRANE	DEPUTY PRESIDING MEMBEF
MR. IVAN CAREY	MEMBER
MRS. MARGARET HODGSON	MEMBER
MR CLAUDE TOLTON	MEMBER

COUNSEL

JULIE FREDERICKSON, Q.C.	BOARD SOLICITOR

THE RESPONSIBILITIES OF BOARD MEMBERS

The Act provides for The Surface Rights Board and empowers the Board to administer and enforce The Act. The Board is presently composed of five Members, one of whom is the Presiding Member and another who is designated the Deputy Presiding Member.

Members are appointed by the Lieutenant Governor in Council and represent various geographic, social and economic sectors of the province.

In discharging its responsibility for administration of The Act, the Board may:

(a) Hold sittings from time to time at such times and places in the province as it may deem expedient;

(b) Enter upon and inspect or authorize any Member of the Board or other person to enter upon and inspect any place, building, works or other property directly or indirectly involved in any matter before the Board;

(c) Appoint, or direct, to inquire into and report upon, any matter before the Board. The Members are not full time Board Members, but are paid on a per diem basis.

THE PURPOSE OF *THE SURFACE RIGHTS ACT*

The Surface Rights Act was proclaimed to be in force August 9, 1983.

The purposes of The Act are:

(a) To provide for a comprehensive procedure for acquiring and utilizing surface rights.

b) To provide for payment of just and equitable compensation for the acquisition and utilization of surface rights.

(c) To provide for the maintenance, preservation and restoration of the surface of land acquired in connection with surface rights.

(d) To provide for the resolution of disputes between operators, occupants, and owners arising from the entry upon, use or restoration of the surface of the land.

POWERS OF THE BOARD

Fulfilling its mandate to provide for the concerns of both landowners and the oil industry in Manitoba, the Board is empowered to:

(a) Administer and enforce the Act and the regulations.

(b) Carry out surveys and research programs and obtain statistics for the purposes of the Board.

(c) Conduct hearings and investigations and determine and prescribe the scope thereof.

(d) Require any person to submit to it such returns in such form as it may require.

(e) Prohibit or require the doing of any act by any of the parties to an application which is before the Board.

(f) Provide mediation services upon the request of the party of a dispute concerning surface rights.

SURFACE RIGHTS BOARD ACTIVITY 2000/01

April 1, 2000 to March 31, 2001

Quarterly Activity Report

	2000 April 1/ June 30 1st Q.	2000 July 1/ Sept. 30 2nd Q.	2000 Oct. 1/ Dec. 31 3rd Q.	2001 Jan. 1/ Mar.31 4th Q.
Signed Agreements For Surface Leases				
Brought Forward	1,737	1,742	1,742	1,802
Received	5	0	60	3
Carried Forward	1,742	1,742	1,802	1,805
Review of Compensation Applications				
Brought Forward	1	0	0	0
Received	0	1	1	0
Settled or Closed	1	1	1	0
Carried Forward	0	0	0	0
Right of Entry Applications				
Brought Forward	0	0	0	0
Received	0	0	0	0
Settled or Closed	0	0	0	0
Carried Forward	0	0	0	0
Tortious Acts				
Brought Forward	0	0	0	0
Received	0	0	0	0
Settled or Closed	0	0	0	0
Carried Forward	0	0	0	0

OTHER APPLICATIONS

Termination of Board Orders

Brought Forward	1	1	1	0
Received	0	0	0	0
Settled or Closed	0	0	1	0
Carried Forward	1	1	0	0

Absentee Mineral Rights Owner

Brought Forward	0	0	0	0
Received	0	0	0	0
Settled or Closed	0	0	0	0
Carried Forward	0	0	0	0

Application For Abandonment Order

Brought Forward	1	0	0	0
Received	0	0	0	0
Settled or Closed	1	0	0	0
Carried Forward	0	0	0	0

Board Orders Issued	2	1	2	0
Mediation Reports	1	0	0	0

FIVE YEAR ACTIVITY SUMMARY

	YEAR ENDED MARCH 31				
	2000/01	1999/00	1998/99	1997/98	1996/97
Signed Agreements	68	26	24	87	32
Applications					
Review of Compensation	3	3	1	0	1
Right-of-Entry	0	3	5	4	0
Tortious Acts	0	0	0	0	0
Termination of Board Order	1	0	0	0	0
Absentee Mineral Rights Owner	0	0	0	0	0
Application for Abandonment Order	1	0	4	1	1
Board Orders Issued	5	5	6	4	1
Mediation Reports	1	0	0	0	1

BOARD ORDERS AND REPORTS

The following Board Orders and Reports were prepared and issued by The Surface Rights Board in the fiscal year of 2000/01:

1. Board Order No. 2/2000
   Renaissance Energy Ltd./Agatha Turbak
   Termination of Right of Entry Order
   L.S.D. 13-10-12-29 W.P.M.

2. Mediation Report No. 1/2000
   Manitoba Conservation, Petroleum and Energy Branch/
   Earle S. Heaman and Dorothy E. Heaman
   L.S.D. 11-18-11-26 W.P.M.
   L.S.D. 12-18-11-26 W.P.M.
   S.W.D. 14-18-11-26 W.P.M.
   L.S.D. 14-18-11-26 W.P.M.

3. Board Order No. 3/2000
   Manitoba Conservation, Petroleum and Energy Branch/
   Earle S. Heaman and Dorothy E. Heaman
   Abandonment Order
   L.S.D. 11-18-11-26 W.P.M.
   L.S.D. 12-18-11-26 W.P.M.
   S.W.D. 14-18-11-26 W.P.M.
   L.S.D. 14-18-11-26 W.P.M.

4. Board Order No. 4/2000
   Walter Russell Grant Norsworthy/Oilex Exploration Corp.
   Compensation Payment Order
   L.S.D. 10-26-09-26 W.P.M.
   L.S.D. 09-26-09-29 W.P.M.

5. Board Order No. 5/2000
   Earle S. Heaman and Dorothy E. Heaman/Shannon Oils Ltd.
   Compensation Payment Order
   L.S.D. 11-18-11-26 W.P.M.
   L.S.D. 12-18-11-26 W.P.M.
   L.S.D. 14-18-11-26 W.P.M. (Battery and SWD)

6. Board Order No. 6/2000
Harold Thomas Veldhuis/ Mead Petroleums and Farms Ltd.
Compensation Payment Order
L.S.D. 11-26-10-26 W.P.M. (SWD)
L.S.D. 12-26-10-26 W.P.M. (Battery and Well)
L.S.D. 13-26-10-26 W.P.M.